IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION No: 10118 of 2004

Between:

1 The Govt., of A.P., rep. by its Principal Secretary, Revenue (Registration-1) Dept., Secretariat, Hyd.
2 Inspector General of Registration and Stamps., N.B.K. Estates, Hyd.
3 Dy. Inspector General of Registration and Stamps, Guntur.
4 District Registrar of Assurances, Ongole, Prakasam Dist.

..... PETITIONERS

AND

Sri S. Prabhakara Rao, Junior Assistant, Sub-Registrar Office, Kandukur, Prakasam District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any writ or proceedings more particularly one in the nature of WRIT OF CERTIORARI calling for the records pertaining to the order passed in O.A. No. 4587/2001 on the file of Hon'ble A.P. Administrative Tribunal, Hyd dt. 02.07.2002 and quash the same.

Counsel for the Petitioner: GP FOR SERVICES II

Counsel for the Respondent:

The Court made the following:

ORAL ORDER (PER GB,J.)

The Writ Petition is filed assailing the order dated 2.7.2002 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, in O.A.No.4587 of 2001.

2. The respondent-employee was suspended by the District Registrar of Assurances, Ongole, vide proceedings No.E1/1828/97, dated 29-7-1997, pending criminal trial. Subsequently, the order of suspension was reviewed and it was decided to continue under suspension. Therefore, he filed O.A.No.4587 of 2001 challenging the continued suspension.

3. The Tribunal allowed the O.A. and directed the department to reinstate the applicant into service forthwith and pursue the departmental proceedings, if any, against the applicant and conclude the same as expeditiously as possible. Against the said order, the present Writ Petition has been filed by the Government.

4. While admitting the Writ Petition, this Court granted interim suspension of the orders of the Tribunal passed in O.A.No.4587 of 2001. It is now brought to the notice of this Court that the respondent-employee was acquitted on 16.6.2004 in S.C.No.230 of 2000. In view of the subsequent change, it is necessary that the Government should review the order of suspension.

5. Accordingly, the Writ Petition is disposed of directing the Government to review the order of suspension in the wake of the Judgment of the Sessions Court in S.C.No.230 of 2000 acquitting the accused of the offences with which he was

charged. This exercise shall be done within a period of four (04) weeks from the date of receipt of a copy of this order. No costs.

_____

(G. BIKSHAPATHY, J.)

_____

(P.S. NARAYANA, J.)

Date: 09-12-2004

ES

To

1. The Principal Secretary, Government of A.P., Revenue (Registration-1) Department, Secretariat, Hyd.
2. The Inspector General of Registration and Stamps, N.B.K. Estates, Hyderabad.
3. The Deputy Inspector General of Registration and Stamps, Guntur.
4. The District Registrar of Assurances, Ongole, Prakasam District.

5. 2 CCs to the G.P. for Services II, High Court of A.P., Hydeabad (OUT).

6. 2 CD copies.